

Farm Regulations

DRAFT - PROPOSED FARM REGULATIONS – March 1, 2011

REV APRIL 5, 2011

Definitions: (to be added to definitions Section 203)

Agriculture: The growing of crops; raising of livestock; and the storing, processing and sale of agricultural and horticultural products and commodities, including those defined in CGS Section 1-1q as may be amended, as incidental to agricultural operations.

Agricultural Buildings or Structures: Buildings or structures, including greenhouses, barns, and animal shelters, used in connection with agriculture, not to be used for human habitation unless approved as a field hand quarters.

Animal Shelter: Any structure, roof, tarp, lean-to, or similar type of shelter utilized for the protection of animals from weather.

Commercial Farm: A farm, with a minimum of three contiguous acres owned or leased, which is operated primarily as an income producing operation.

Farm: A tract of land used principally for agricultural activities, forestry, nursery, or for raising, keeping or sale of livestock and fowl, or directly related to such activities, permitted in any zone.

Farm Store: A permanent structure used by a commercial farm for the year-round sale of raw and/or processed agricultural and horticultural products, services and activities

Farm Stand, Seasonal: A structure used by a farm for the temporary, seasonal sale of agricultural goods and services.

Greenhouse: A building used for the growing of plants, all or part of which are sold at retail or wholesale, or used on site

Non Commercial Farm: A farm, that is operated primarily for non-commercial purposes, such as for self-sustenance of a family, as a hobby, or for educational purposes.

Livestock: Grazing farm animals (including but not limited to cows, horses, goats, pigs llamas, poultry or fowl) kept in open fields and/or structures. (Does not include pets such as household dogs, cats, and pot bellied pigs)

Usable Pasture: A contiguous owned or leased area, used for keeping of livestock which excludes areas utilized for dwelling units, non agricultural buildings, onsite sewage disposal systems, and meets general criteria as described in Section 305.3.c entitled Site Suitability and Impact. Animal shelters are permitted within the usable area.

305 – FARM REGULATIONS

305.1 Purpose: The purpose of this section is to promote the preservation of agricultural land, and support agriculture as an important and viable business, and lifestyle within the Town of East Windsor, while preserving the public health, safety and welfare. Also, these

regulations are designed to require animal caretakers to follow generally accepted agricultural practices including proper housing, pasturing and waste management; and to require farmers to apply best management practices with crop production.

305.2 Raising of Crops

The growing of crops, forestry, nursery, and other similar agricultural uses are permitted in any zone with any acreage, provided best management practices are utilized.

305.3 Keeping of Livestock

- a. Commercial Farms:** Raising livestock for commercial purposes is allowed by right provided that the farm has at least 3 acres, and generally accepted agricultural practices are followed as defined under the following references:
- The CT Right To Farm Law - CGS Section 19a-341, as adopted by the Town of East Windsor as Ordinance # _____ on _____ 2010.
 - The CT Public Health Code (NORTH CENTRAL HEALTH DISTRICT-NCHD)
 - Most recent techniques and guidance as provided by entities such as the CT. Department of Environmental Protection (DEP); CT Horse Council; University of CT at Storrs (UCONN) – Department of Agriculture; CT Farm Bureau (CFB); and Natural Resource Conservation Service (NRCS)
1. Commercial Farms are not subject to requirements for animals per acre as listed in 305.3.b below.
 2. Commercial Farms are subject to General Livestock requirements per section 305.3.c and d.
- b. Non-Commercial Farms:** Raising of livestock for non commercial farms is subject to the following requirements of animals per acre and site suitability:
1. Minimum of 1 contiguous acre of usable pasture for one animal unit.
 2. Animal Units per Acre of usable pasture: Livestock are allowed in accordance with the following density:
 - a. Horses, Ponies, Burros, Donkeys, Pigs, Cows, Bulls, Steer : one head equals one animal unit
 - b. Weaned Calves (up to 1 yr in age), Llamas: two head equals one animal unit
 - c. Sheep, Goats, Alpacas: five head equals one animal unit
 - d. Poultry, Rabbits, or similar small animals whose mature weight is less than 30 pounds: 10 head equals one animal unit.
 - e. An additional animal unit may be permitted with each additional acre of usable pasture, or appropriate percentage thereof
 3. Roosters are only permitted on non-commercial farms greater in size than 3 acres.
 4. Livestock not listed above shall have a livestock unit defined by corresponding the adult weight with that of the animals listed.
- c. Site Suitability and Impact:** In order to minimize potential adverse impacts, all farms shall use the following criteria for compliance:

1. Sites with slopes greater than 15% shall be avoided or improved to avoid heavy surface water runoff, soil erosion, sedimentation or hazardous conditions for keeping animals.
2. Animal keeping areas shall not be permitted directly over land containing an on-site sewage disposal system.
3. Proper drainage shall be provided to avoid collection of water. Water shall be diverted from animal keeping areas; however, such water shall not pollute surface or subsurface water supplies nor shall runoff be directed to neighboring properties.
4. All livestock shall be kept in such a manner that shall not cause unreasonable noise, odor, vermin and /or insects.
5. Livestock shall be suitably and adequately confined or controlled at all times.
6. Requirements of public health code shall be followed.
7. An owner or lessee may request the Zoning Enforcement Officer to review compliance with these requirements by providing:
 - a. A sketch/diagram which can be created using the town GIS system, and best available boundary and site data;
 - b. The boundaries of the property on which the animals are to be kept;
 - c. Location of all existing structures including dwellings on abutting properties, on-site wells and sewage disposal systems (Refer to the Health Department);
 - d. Location of proposed animal shelter and usable pasture, including fences;
 - e. Number and type of animals to be kept;
 - f. Location of watercourses, water bodies and wetlands;
 - g. Areas of slope in excess of 15%; and
 - h. A narrative describing the total acreage of site where animals are to be kept, the general nature and scope of the proposed use and the provisions for storage of feed, grain, hay and animal excrements.

d. General Livestock Requirements

1. Manure storage and animal shelters must be
 - *150 feet minimum from any abutting dwelling unit, watercourse or wetland;
 - *100 feet from any side or rear property line; and
 - *60 feet from any front property line; and
 - *75 feet from any well.
2. Pig styes must be 300 feet from any abutting dwelling unit per public health code.
3. Livestock offspring shall not apply to the calculation of livestock units until after weaning.

305.4 Farm Stores

Permitted by Special Use Permit on Commercial farms with the following provisions:

- a. The footprint of the farm store and all retail areas shall be compatible in size and scale with the neighborhood.
- b. At least 50% of gross sales shall be from agricultural goods produced on the owner's farm, or processed products made from raw materials that were produced on the owner's farm. Related products such as gardening tools, fertilizers, soil planting pots, hand made crafts, and holiday specialty items not derived from the farm may be included.

- c. Off street parking with adequate ingress and egress must be provided. Parking shall be provided at a rate 5 spaces per 1,000 square feet of building footprint, with a 5 space minimum. Permeable parking surfaces are encouraged.
- d. Appropriate Zoning and Building permits, and Wetlands Permit if warranted, must be obtained.

305.5 Farm Stands

Temporary Farm stands are permitted by right on all farms with the following conditions:

- a. Temporary seasonal structures and sales area shall be compatible in size and scale with neighboring uses.
- b. The maximum size of the seasonal structure must not exceed 300 square feet. (per 404.i.2)
- c. At least 70% of gross sales shall be from agricultural goods produced on the owner's or lessee's farm, or processed products made from raw materials that were produced on the owner's or lessee's farm.
- d. The Seasonal farm stand must cease for at least six consecutive weeks in one year.
- e. Parking must be provided off of the public right-of-way, with a safe ingress and egress.
- f. The temporary structure must be 10 feet back from the front property line, must meet underlying zones side yard setbacks, and shall not cause a nuisance or unsafe conditions. Permanent structures not entirely mobile shall require a building permit.

305.6 Signage

a. Permanent Signs

One permanent free-standing or attached sign may be permitted for a farm, or farm stand with the following conditions:

1. Maximum size is 16 square feet for non commercial farms, and 32 square feet commercial farms.
2. Freestanding signs must be located 10 feet back from front property line, and meet the underlying zones side yard setbacks.
3. One sign per farm.
4. Signs may not be internally lit.
5. All other sign standards as set forth in Section 602 of these zoning regulations shall be followed.

b. Temporary/Seasonal Signs

Temporary free-standing or attached signs on a farm, associated with a farm stand, seasonal farm stand, or agriculturally related use, whose content may change per available goods, services or activities, may be permitted with the following conditions:

1. Maximum size is 32 square feet per side, with a maximum of two sides. Up to 100 square feet of signage advertising produce is permitted, with a maximum of six signs total.
2. Freestanding, or self standing a-frames or placard signs, shall be located a minimum of ten feet back from the front property line.
3. Signs may not be internally lit.

c. Off Site Directional Signage – Temporary

A farm may establish directional signs off the property where the farm is located. Such signs shall meet the following conditions:

1. Signs shall only be located at intersections i.e. where two roads meet.
2. Signs shall be legible and of weather resistant material.
3. Signs shall not exceed 4 square feet in area, and shall not exceed 3.5 feet in height.
4. Signs shall not be externally nor internally illuminated
5. Only one sign per farm per intersection.
6. Sign background may not be red or yellow.
7. Signs shall be seasonal, and removed when product is no longer available.
8. Signs shall not block sight line distance.
9. Signs may be double sided, which will be counted as one sign.

305.7 Other Related Uses

a. Agriculturally Related Uses:

1. Temporary/Seasonal Events - Such uses include events such as corn mazes, harvest or Holiday festival, hay rides, petting zoos, or other uses, subject to adequate and safe onsite parking. A temporary permit for a seasonal event per Section 405 of the regulations is required.
2. Sawmills – may be established as an accessory use on any commercial farm, provided that:
 - a. any such mill is operated only between the hours of 7:00 am and 5:00 pm.;
 - b. and is located not less than 100 feet from any property line, and not less than 500 feet from any abutting dwelling;
 - c. is used only to cut timber grown on such farm.
3. Outdoor Wood Burning Furnaces – may be permitted with a zoning and building permit, and must meet CT DEP guidelines.
4. Greenhouses shall not cause light or noise pollution onto neighboring properties.

b. Uses requiring a Special Use Permit:

1. Field Workers' Housing.
2. Commercial Horse Riding boarding or instruction facilities (greater than 10 horses).
3. Bed and Breakfast Facilities.
4. Farm Stores.
5. Event Hosting, such as banquet and rental facilities.
6. Commercial Recreation: fee based outdoor recreation such as cross country skiing, and camping.
7. Retail sales of Propane.
8. Kennels, Veterinary Clinics, Shelters, and
9. Fur Farms; Slaughterhouses.
10. Waiver(s) of requirements in Section 305 (see Section 305.9 below)

305.8 Legal Non-conformities:

- a. Any existing non-conforming barn, originally constructed for livestock, may continue to be used for agricultural and boarding purposes
- b. Any property which has held and continuously raised livestock which does not meet the minimum acreage may continue to be used for such purpose.

305.9 Miscellaneous Provisions:

- a. A waiver may be sought for any part of this Section 305 by a $\frac{3}{4}$ vote from the Commission, including the minimum requirements for a Special Use Permit or Site Plan approval per Chapter IX. However, the need for a Site Plan or Special Use Permit may not be waived.
- b. Fees (except state fees) may be waived for applications for Future Farmers of America (FFA) or 4H or other student vocational agricultural projects.